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Chairperson: Ms. Gittens-Joseph ..... (Trinidad and Tobago)
later: Ms. Paterson (Vice-Chairperson) ..... (New Zealand)

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00-71355 (E)

The meeting was called to order at 10.15 a.m.

Agenda item 114: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/55/177, 213 and Add.1, A/55/214 and Add.1, A/55/275 and Add.1, A/55/279, 280 and Add.1 and 2, A/55/283, 288, 289, 291, 292, 296 and Add.1, A/55/302, 306, 328, 342, 360, A/55/395-S/2000/880, A/55/404-S/2000/889 and A/55/408; A/C.3/55/2)

(c) Human rights situations and reports of special rapporteurs and special representatives (*continued*) (A/55/269, 282 and Corr.1, A/55/294, 318, 335, 346, 358, 359, 363, 374, 400, 403, 509 and A/55/426-S/2000/913)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/55/36 and A/55/438-S/2000/93)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/55/36)

Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia

1. **Mr. Dienstbier** (Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia) said that, given the dynamic developments in the Balkans, his latest report (A/55/282) was now obsolete but that its general conclusions and recommendations remained valid.

2. In Bosnia and Herzegovina the return of almost 30,000 registered minority refugees had taken place over the previous 10 months, despite continued violence and harassment. Many additional problems, including lack of access to basic utilities and to primary health care, unemployment, discrimination, corruption and organized crime, were still a major concern.

3. In spite of resistance by some local authorities, most people had accepted the amendments to the property laws which harmonized the laws between the country's two entities. Very little would have been achieved without constant pressure from the Office of the High Representative, the Organization for Security and Cooperation in Europe (OSCE), the United Nations Mission in Bosnia and Herzegovina, the International Police Task Force and the Offices of the United Nations High Commissioner for Refugees and the High Commissioner for Human Rights.

4. Positive developments in Bosnia and Herzegovina had been due, in part, to changes in Croatia and the refusal of the new Croatian authorities to support the secessionist ambitions of Croat nationalistic extremists. A decisive breakthrough depended on a similar approach towards Serbian nationalism in Belgrade and — because of the almost one million refugees who had fled Bosnia and Herzegovina — on the normalization of relations among the post-Yugoslav republics. In order to ensure that peace was sustainable and that the country was truly multi-ethnic, Bosnia and Herzegovina must be recognized by its neighbours. Non-interference and regional cooperation were the only way to peace and prosperity.

5. In Croatia, a number of improvements had followed the elections. Nevertheless, several issues remained unresolved, especially with regard to the implementation of local-government policy. While there had been reports of an increase in returns of Croatian Serb refugees in 2000, returnees still faced problems with regard to property restitution and rebuilding. The process of return had also been undermined by a lack of employment opportunities, and in some areas the rate of unemployment had reached levels 70 per cent above the national average. Government intervention, particularly on the issue of property repossession, was of crucial concern, and any legal framework to be established should ensure that its implementation would not be obstructed by local authorities. Furthermore, the Serb community regarded the recent arrest, on charges of war crimes, of 13 ethnic Serbs in the former United Nations Transitional Administration for Eastern Slovenia, Baranja and Western Sirmium region as the final attempt to force the remaining Serbs in the region to leave Croatia.

6. With regard to the Federal Republic of Yugoslavia, since the euphoric days of revolution,

many analysts had given up attempts to explain exactly what had transpired. The people of Belgrade had voted and demonstrated against lawlessness and arbitrary rule. It was a hopeful time for the promotion of human rights in Serbia and the entire region, as there was now a chance to re-evaluate an international policy which had been blinded for several years by the presence of a dictator who had been made a scapegoat for all the troubles. Serbia was becoming the key country in the Balkans. Without Serbia the solution of all human, economic and political problems in the region was impossible, and even the proposed stability pact for south-eastern Europe would be worthless.

7. Consolidation of power would take a long time. The integrity and determination of President Koštunica was the most important factor for stability, but the influence of the old structures remained formidable.

8. The relationship between the Republic of Montenegro and Serbia, as political entities unto themselves, had to be resolved before the parties even began to determine the nature of their federal relations. During his visit to Montenegro, he had held discussions not only with its President and several ministers, but also with representatives of non-governmental organizations and the heads of all parliamentary groups. In spite of their differences, they had all assured him of their determination to adhere to democratic dialogue.

9. In Kosovo, municipal elections scheduled for 28 October 2000 represented a significant move towards the substantial self-government for Kosovo laid down in Security Council resolution 1244 (1999), with broader elections scheduled for 2001. Given the disarray of Kosovo's post-conflict environment, serious concerns remained over a lack of minority participation, registration problems, continued political violence and intimidation. Although many political parties and coalitions had registered to participate in the elections, only three principal parties had registered candidates in most municipalities. Although the elections were for municipal offices only, the issues had focused on the future of Kosovo as a political entity, with the three principal Kosovo Albanian parties insisting that Kosovo's final status must be as an independent State. Final-status issues had come to dominate the campaign in the light of the removal of Slobodan Milošević from the elections in Yugoslavia and the democratic opening in Serbia. The party of Ibrahim Rugova was expected to win, an encouraging sign that would confirm that the Albanian people had had enough of the lawless forces plaguing Kosovo society.

10. The elections could be effective only if all participants respected democratic values, including the results of the election. That could hardly be expected of those who had chased out of Kosovo more than 200,000 non-Albanians and stolen their property. Consequently, there was a danger that the elections would seal that ethnic cleansing. The United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) had not prevented it and must accept their responsibility for such a huge violation of human rights while governing Kosovo. If the elections were to herald the start of the democratic process, the international community had to take a principled stand, organize the return of non-Albanians, guarantee their security and return of their property and to challenge, by all necessary means, all those who did not respect the decisions. He welcomed the presidents of the Balkans in Skopje, including the President of Albania, at which they had supported the implementation of all the relevant resolutions of the Security Council, including resolution 1244 (1999).

11. Everything should be done to support the democratic transition in the Federal Republic of Yugoslavia, as that was the only sure basis for human rights. To that end, the international community should immediately end all sanctions, support investment, repair the bomb damage and incorporate Yugoslavia into the proposed stability pact. The immediate and unconditional renewal of the membership of Yugoslavia in international organizations should also be understood as an instrument for solving the problems of succession of the former Yugoslavia and for promoting democracy and respect for human rights throughout the Balkans.

12. **Mr. Sotirov** (Bulgaria) said he fully understood that the transition in the Federal Republic of Yugoslavia would not be easy and, as a neighbouring country, Bulgaria was closely following the human-rights situation there. His Government was encouraged by ongoing democratic changes and hoped for the early establishment of a political system based on fundamental human rights, the rule of law, and respect for the rights of persons belonging to minorities.

13. Bulgaria considered the protection of minorities of vital importance to peace and stability in the region

and was therefore closely following the activities of the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights. Bulgaria was however surprised to note that, in the report of the Special Rapporteur (A/55/282), there had been no assessment of the human-rights situation with regard to minority groups in Yugoslavia, despite concerns expressed by the Commission on Human Rights and the General Assembly. He asked the Special Rapporteur how he intended to fulfil that part of his mandate, whether he intended to visit the regions inhabited by national minorities, and whether future reports would include an assessment of that situation.

14. **Mr. Šimonović** (Croatia) noted that the Special Rapporteur had observed many positive changes in Croatia and had expressed satisfaction with recent political developments and the political will for change demonstrated by the Croatian Government. Croatia supported the recognition of Bosnia and Herzegovina by its neighbours. Croatia had been among the first to recognize that country and they enjoyed an excellent mutual relationship. The remarks of the Special Rapporteur on recognition would be more appropriately addressed to the Federal Republic of Yugoslavia.

15. It was the duty of each country under international law to prosecute war crimes, and failure to do so represented a grave breach of humanitarian law. It was therefore surprising that, in the chapter of the report relating to the Federal Republic of Yugoslavia, the lack of cooperation with the International Tribunal for the Former Yugoslavia had not been noted. His delegation hoped that the new Government in Belgrade would cooperate with the Tribunal. As to the Special Rapporteur's observation regarding a regional perspective to the problems, and the legal framework that applied in all the countries of the region, Croatia was the only country of the region that was party to both Optional Protocols to the International Covenant on Civil and Political Rights and that had reported under all six core United Nations human-rights treaties. In the same vein, only Croatia was party to the European Convention on Human Rights and many other Council of Europe treaties. Representing as it did an outstanding achievement in human-rights protection, the Convention on Human Rights provided for recourse to the European Court of Human Rights, whose judgements were legally binding and to which every Croatian citizen could have recourse. The protection of human rights was ultimately the responsibility of each Government, but each country of a region could be encouraged to adopt the same United Nations and regional human-rights standards.

16. Croatia had been the subject of human-rights monitoring by the United Nations, the Council of Europe and OSCE. In September 2000, the Council of Europe, in deciding to end the monitoring procedure, had welcomed the significant progress Croatia had made towards honouring its commitments, particularly since the parliamentary and presidential elections held earlier in 2000. The actions of the Council of Europe and OSCE were a clear signal to other mechanisms that monitored human rights. Croatia therefore urged the Special Rapporteur to take into account that acknowledgement of the improving human-rights situations and to recommend the exclusion of Croatia from his mandate at the next session of the Commission on Human Rights.

17. **Mr. Rogov** (Russian Federation) said he hoped that the Special Rapporteur's conclusions would be reflected in the draft resolution on the human-rights situation in the States covered by the Special Rapporteur's mandate.

18. In view of the ethnic cleansing of Serbs, Roma and Bosniacs in Kosovo, he wished to know to what extent KFOR and UNMIK had been strengthened in order to accomplish the task of building a multi-ethnic society. Referring to a recent report by the non-governmental organization Human Rights Watch, indicating political violence among Albanian political parties as well as attacks against Serbs and other minorities, he drew attention to allegations by Human Rights Watch that the elections scheduled to be held in Kosovo on 28 October 2000 would not meet minimum international standards for free and fair elections. He therefore asked the Special Rapporteur whether such elections would be able to promote democracy and stability. He asked for further information on the state of cultural, historic and religious sites in Kosovo, and said he wondered how serious was the threat of destabilization in the southern Serbian municipalities of Presevo, Bujanovac and Medvedja (A/55/282, para. 114). He also asked the Special Rapporteur what measures should be taken to ensure that armed extremists did not infiltrate the territory, and whether — apart from the trafficking in human

beings — there were other kinds of international criminal activity, including drug trafficking.

19. The Russian Federation hoped that the momentum of reform in Croatia would continue. In that regard, he was interested in knowing whether the return of refugees to Croatia was taking place at a fast pace and which obstacles needed to be removed to speed up the process.

20. **Mr. Carle** (United States of America) agreed with the Special Rapporteur that everything possible must be done to support the democratic transition, which was the only sure basis for the promotion of human rights in the Federal Republic of Yugoslavia, but he took issue with him on several points. The Special Rapporteur claimed that international policy had been blinded by the presence of one dictator who made an easy scapegoat for all the troubles; that the Albanian people in Kosovo might not know what they really wanted; that the elections about to be held would seal the ethnic cleansing; and that, in not preventing the ethnic cleansing, UNMIK and KFOR must accept responsibility for such a huge violation of human rights. Those claims showed a distorted view of reality. In fact UNMIK and KFOR were supporting the democratic transition in Kosovo: firefighters were not to blame for the fire they were trying to put out.

21. **Mr. Dienstbier** (Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia), replying to the questions raised, said that the Bulgarian minority had not been forgotten; in paragraph 121 of his report (A/55/282), he had called for fair representation of minorities in all government departments.

22. On the question of Croatia's recognition of Bosnia and Herzegovina, transcripts of conversations held in President Tudjman's office early in 1999 showed that there had been talk of supporting secessionists tendencies there. However, he was glad to see that such talk was a thing of the past.

23. With regard to the development of a multi-ethnic society in Kosovo, he said that the violence mentioned by the representative of the Russian Federation had not been motivated by revenge, but had been organized by criminals, and many Albanians were afraid to express their opposition to the violence. The international organizations responsible for Kosovo must act vigorously against criminals of all kinds in order to speed up reconciliation. President Koštunica's approach was very reasonable; he understood that not everyone could go back to their original home but that a gradual return to some villages would allow different ethnic groups to learn how to live as neighbours once again.

24. Election irregularities in Kosovo were certainly a problem. Almost all of the registered voters were Albanians; Serbs and other minorities had in many cases failed to register for fear of intimidation and harassment. The Special Representative of the Secretary-General had said he would use his authority to appoint representatives of minorities to municipal bodies after the elections, which was, of course, an extraordinary procedure.

25. With regard to the situation in the southern Serbian municipalities (ibid., para. 114), he was very hopeful that, with greater democracy in Serbia, the problems of the Albanian minority in the south would be handled differently, but the situation would improve only if the authorities in Kosovo cracked down on terrorist infiltrators and criminals. The rule of the "Mafia" in Kosovo destabilized the situation there and also in Albania. It was widely known that the Kosovo Albanian Mafia controlled some 40 per cent of all drug-trafficking in Europe. A firm stand was needed against all types of crime at all levels.

26. In Croatia, the Government had a positive approach to enabling people to return to their homes but its efforts were sometimes undermined by nationalist power structures still in place in some cities and regions. He hoped that the positive changes in the Federal Republic of Yugoslavia would make it easier for the return of those refugees.

27. In response to the comments by the representative of the United States of America, he said he had not claimed that the elections would seal the ethnic cleansing, but only that there was a danger of that if UNMIK and KFOR did not behave in a proper way. If the elections were to be the beginning of the democratic process, the international community must take a principled stand.

28. As far as the use of Milošević as an easy scapegoat was concerned, Milošević had been the main target of the international community for several years. With his overthrow, there was now a real change to promote a more pragmatic policy for the region.

General discussion of sub-items 114 (b), (c), (d) and (e) (continued)

29. **Mr. Powles** (New Zealand) said that the year 2000 had seen a valuable expansion in the tools available to the international community to protect and promote human rights, including the entry into force of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The international community accepted the principle that all human rights were universal, indivisible, interdependent and interrelated but, in many States, respect for human rights fell far short of international standards.

30. In East Timor, the return of over 170,000 refugees during the past year and the investigations by the Indonesian Government and the United Nations Transitional Administration in East Timor into widespread human-rights violations were welcome. However, the Indonesian Government must implement its obligations under Security Council resolution 1319 (2000) and must bring to justice those responsible for human-rights violations without further delay.

31. New Zealand condemned the violent overthrow of the elected Government in Fiji in May 2000 and the ensuing violence, which had included attacks by indigenous Fijians on Indo-Fijians. The apparent attempt by the interim Government to entrench certain supplementary rights for indigenous Fijians in a new constitution was not acceptable. Foreign ministers from the Pacific region and elsewhere had condemned the use of force and the constitutional reforms proposed by the interim Government. He hoped that the Fijian Human Rights Commission would be able to continue its work.

32. He welcomed the tentative peace process now under way in Solomon Islands and hoped that progress in the negotiations would be fully reflected on the ground and that human-rights abuses by both parties to the conflict would be addressed.

33. He expressed dismay at the recent events in the occupied Palestinian territory. Both sides in the conflict had a duty to ensure that international human-rights standards were observed. Although it appeared that neither party was blameless, it was impossible to ignore the particular obligations that Israel had to protect the lives and human rights of civilians in the territories it occupied.

34. In Chechnya, the cooperation of the Russian Federation in facilitating access for international relief agencies was crucial if a humanitarian tragedy was to be avoided. He welcomed efforts by the Council of Europe to facilitate the effective coordination of international efforts, and joined with the international community in calling for the setting up of an independent commission of inquiry into the reports of human-rights abuses by both sides in the conflict and in urging the Russian Federation to seek a durable political settlement.

35. His delegation was heartened by recent developments in the Balkan region. Although human-rights violations were still occurring there, elections since the beginning of 2000 showed that the popular mood was increasingly in favour of stability and an end to violence. He hoped that the recent elections in the Federal Republic of Yugoslavia would lead to a marked improvement in the protection and promotion of human rights in Serbia and in the wider region.

36. He expressed concern that widespread human-rights violations, including the use of forced labour, continued to take place in Myanmar. He unreservedly condemned the restrictions imposed on the leader, Aung San Suu Kyi, and other members of the National League for Democracy, and urged the Myanmar authorities to cooperate with the Secretary-General's Special Envoy to Myanmar.

37. He welcomed the steps taken by the Government of Cambodia to address the economic and social challenges facing it, and urged it to move quickly to establish a tribunal to deal with charges against former Khmer Rouge leaders.

38. He welcomed the continuing efforts of the Government of China to promote all human rights, particularly through the establishment of a society ruled by law, but practices in some areas of human rights were well short of universally accepted norms. He urged the Government to ratify the two International Covenants on Human Rights at an early date and to involve the Tibetan people fully in decisions affecting their society and culture.

39. He commended recent efforts by the Security Council to create a special international tribunal in Sierra Leone. In June 2000, his Government had announced a special contribution to the Inter-Agency Consolidated Appeal for Humanitarian Assistance to Sierra Leone.

40. His delegation urged all parties to the devastating civil war in the Sudan to ensure that their forces observed international laws aimed at protecting civilians during armed conflict, and to work towards a peaceful resolution.

41. There had been some positive developments recently in the Islamic Republic of Iran, but the serious restrictions on freedom of expression and the treatment of certain religious minorities there were still a matter of concern.

42. He deplored the refusal by the Government of Iraq to allow the Special Rapporteur on the situation of human rights in Iraq and independent humanitarian experts to enter the country, and its lack of cooperation in the implementation of the oil-for-food programme.

43. New Zealand was concerned to note the assessment of the Special Rapporteur on the situation of human rights in Afghanistan that the people of Afghanistan, particularly women and girls, continued to be the victims of gross violations of human rights. It urged the warring factions to seek a peaceful solution to the conflict.

44. As far as thematic issues were concerned, New Zealand was disappointed that the General Assembly had not yet called for the abolition of the death penalty. The use of the death penalty was inconsistent with the furtherance of human rights, and the sentencing to death of juvenile offenders was particularly abhorrent. New Zealand supported initiatives to improve the effectiveness and efficiency of human-rights-treaty bodies, while recognizing that they needed to be adequately resourced. He welcomed progress made at the recent session of the Working Group on the Right to Development, and hoped that the General Assembly would be able to agree on a consensus resolution on that issue. The concern expressed by developing countries about the impact of globalization underlined the importance of appropriate and agreed rules to govern its effects.

45. His Government welcomed the creation of new national and regional human rights arrangements, particularly in the Asia-Pacific region. It continued to support the development of forums such as the Asia-Pacific Forum of National Human Rights Institutions under its official development assistance programme.

46. Member States could be proud of the architecture that they had created to promote and protect human rights. However, the threats to the enjoyment of human rights remained widespread and the relevance of the United Nations to combating those threats was greater than ever.

47. *Ms. Paterson (New Zealand), Vice-Chairperson, took the Chair.*

48. **Ms. Aguzzi-Durán** (Venezuela) said that a basic principle underlying the new Venezuelan Constitution was the protection of the human rights embodied in all the international instruments ratified by Venezuela. It also included some of the latest developments in international human-rights law, bringing Venezuelan legislation closer into line with the latest thinking of organizations such as the United Nations.

49. Venezuela's legal system in the field of human rights was based on respect for human dignity, the inherent rights of the individual and the free development of his or her personality, so that human-rights standards and provisions were extended to cover the aspirations of Venezuelan society and to guarantee the universality and indivisibility of all human rights.

50. Her Government's aim had been to ensure that all citizens felt their human rights were properly protected and that any violations would be investigated, punished and compensated for. It had therefore been made possible for individuals to turn to the courts for protection of their rights, including those not mentioned expressly in the Constitution.

51. The establishment of liability and punishment was of paramount importance in ensuring respect for human rights. To that end, public officials and those who gave them their orders would be held liable for breaches of the rights laid down in the Constitution; the actions and obligations of the State with regard to the right to personal inviolability and to due process had been established; ordinary courts could try offences involving human-rights violations; the post of ombudsman had been created; rules had been laid down to overcome impunity; and the prevention and punishment of torture and forced disappearances, as well as the rights of indigenous populations had been covered in the legislation.

52. Her delegation was concerned at the politicization of human-rights forums. Cooperation, not condemnation, should guide the work of United Nations human-rights bodies. Countries should refrain from setting up unilateral human rights mechanisms to

monitor the actions of States, which was a breach of national sovereignty. Venezuela opposed unilateral coercive measures that adversely affected large sectors of the population, as well as being a clear violation of international law and the Charter of the United Nations. Her Government fulfilled all its obligations under international human-rights law, as shown by its willingness to accept the jurisdiction of international bodies and to receive visits from United Nations human-rights officials.

53. The right to development was an inalienable human right linked to the notion of social justice, and needed to be implemented through effective national policies and in the context of a more favourable economic climate. Development was crucial to the consolidation and stability of democratic Governments. The individual should be at the heart of the new development strategy, which should encourage all sectors of society to participate. In that connection, it must be said that globalization had harmed the economies of many developing countries, where poverty, job insecurity and income inequalities had all grown. Those factors, combined with a heavy debt burden, not only made it difficult for Governments to meet the needs of their people but also jeopardized the stability of democratic institutions. It should not be forgotten that democracy was the political system that best ensured greater respect for human rights, with the right to development prominent among them.

54. **Archbishop Martino** (Observer for the Holy See) said that the international community should place greater emphasis on the relationship between human rights and extreme poverty in its efforts to realize development and reduce poverty through a comprehensive development framework based on international cooperation and greater participation by developing countries and their citizens in development projects. The persistence of abject poverty violated human dignity and deprived large numbers of people of the full enjoyment of their human rights.

55. No true concept of development could fail to embrace the question of full respect for all universally recognized human rights. Great progress had been made in the elaboration of appropriate international instruments, while intergovernmental cooperation in protecting human rights was becoming more efficient and enjoying broad consensus. However, when it came to those living in extreme poverty, the achievement of human rights required a more comprehensive approach, involving the coordinated efforts of many different actors to combat the exclusion and insecurity caused by lack of access to basic social services, exposure to violence and the existence of deficient systems of justice or public administration.

56. The concept of the right to development should be re-examined in order to establish a new form of cooperation between the human rights and development communities. There should also be a review of the contribution to development made by social actors, particularly the business community.

57. Just as the goal of development was to enhance people's lives and foster their full participation in their communities, nations and the world, human-rights efforts were aimed at protecting individuals and creating communities that affirmed and supported human dignity. Those working to protect human rights should look at the issue from more than a purely juridical angle, also considering the social, economic and cultural context within which such protection was afforded.

58. The enjoyment of human rights could be ensured within any culture, although no culture had an exclusive claim over the path that might be taken. Individual rights would be ensured only within a caring community in which the dignity of each individual was fostered and protected.

59. A vision of human rights and development focusing on the human person in his or her integrity should seek to foster and protect the spiritual and religious dimension of individuals and communities. To deny the right to freedom of religion was to deprive the development process of the strong contribution which believers could make to solidarity. Faith-based organizations could bring inspiration and cooperation to development and to respect for human rights.

60. When carried out in a spirit of mutual respect, interfaith dialogue and dialogue between cultures could strengthen a vision of development based on the dignity and rights of each person and the concerns of the human family. Such cooperation could also help establish frameworks and partnership promoting the common good, based on a rule of law to which the poor and the poorest nations had equitable access.

61. The growing interdependence of humankind required a fresh injection of solidarity, common responsibility and commitment to all humanity. The

right to development and the duty to offer solidarity had to go hand in hand.

62. **Mr. Al-Mufti** (Sudan) said that the international community had a duty to safeguard the enjoyment of all human rights, which were universal, interrelated and indivisible. Impartiality in dealing with human rights was just as important as the universality of those rights themselves. While the international community played a vital part in human-rights questions, relevant constitutional, legal, administrative and social measures taken at the State level were equally important.

63. For its part, the Sudanese Government was working to implement a number of constitutional changes aimed at facilitating the transition towards democracy. A number of laws had been enacted giving effect to constitutionally guaranteed rights in the areas of national security, the political system and general elections, while a constitutional court had been created to oversee their implementation.

64. Some 33 political parties had been registered in the Sudan, while a number of unregistered parties were able to carry out their activities with the Government's blessing. All property belonging to those parties had been returned.

65. In the current year the Sudanese Government had received visits from the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan and a delegation from Anti-Slavery International. The Government had earlier welcomed the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the elimination of all forms of intolerance and of discrimination based on religion or belief, and a United Nations mission to assess the humanitarian assistance needs of the people of the Nuba Mountains region. A delegation from the Office of the United Nations High Commissioner for Human Rights had conducted a human-rights technical-assistance evaluation, while the Secretary-General's Special Representative for Children and Armed Conflict and a representative of the World Meteorological Organization had also visited. In cooperation with the United Nations Children's Fund (UNICEF) and the United Kingdom Save the Children Organization, the Government had set up a special committee to address the problem of the kidnapping of women and children in the Sudan.

66. The Sudan had complied with its obligations concerning the submission of reports to various treaty bodies and continued to cooperate with regional human-rights bodies. In order to allow UNICEF to feed Sudanese children, the Government had recently declared a ceasefire, which it hoped would become permanent. The Sudan had also participated in the International Conference on War-Affected Children, held in Winnipeg in September 2000.

67. With a view to promoting human rights and finding a peaceful solution to the problem in southern Sudan, the Government had declared a comprehensive ceasefire and announced its willingness to make it permanent. It had granted the people of southern Sudan the right to self-determination and had adopted the principle of citizenship as the basis for the exercise of rights and duties irrespective of religious or ethnic affiliation.

68. However, the rebel movement in the Sudan continued to pursue the war. The Sudan reiterated its appeal to the international community to bring pressure to bear on the rebels to find a peaceful solution.

69. Regrettably, some States took it upon themselves to act as the custodians of human rights, while at the same time violating the fundamental precepts of international law. The United States bombing of the Al-Shifa pharmaceuticals plant in 1998 had destroyed extremely scarce resources needed for the treatment of Sudanese citizens and those of neighbouring States. Could there be any greater human-rights violation than denying a people the right to development, health and health services? The economic sanctions imposed unilaterally on the Sudan by the United States constituted a further violation of human rights.

70. The 1993 Vienna Declaration and Programme of Action had clearly stated that human rights were universal, indivisible, interdependent and interrelated. The right to development was of particular importance to developing countries and could not be realized without the international support and cooperation which had been promised, but was being consistently denied. The Vienna instruments had also stressed the importance of the non-use of force and of refraining from unilateral economic measures as a political weapon. In a number of developing countries, including the Sudan, people were being denied their human rights, particularly the right to life, development

and dignity precisely because of unilateral economic sanctions.

71. The Sudanese Government was committed to cooperation with the United Nations and, its human-rights bodies and representatives, and would spare no effort to facilitate their success. It hoped that its own efforts to improve the human-rights situation in the country would be objectively and positively viewed, particularly its work to restore peace and stability throughout the country.

72. All human rights, including the right to development, should be dealt with equally and impartially, free from the application of double standards and from a focus on one set of rights to the exclusion of all others and on one set of countries as opposed to another. The Sudan hoped that a sincere international consensus would be reached to combat the politicization of human rights, which should be dealt with through cooperation, not through conflict and the adoption of biased international resolutions.

73. While no State had a perfect human-rights record, every one of them should strive to strengthen the enjoyment by their citizens of their human rights and fundamental freedoms. The international community should also take account of cultural differences in dealing with human rights, avoiding the imposition of value-systems on others. Ultimately, the Sudan hoped that the conditions would be created to allow human rights to become a tool for liberating the energies of peoples and ensuring national development.

74. **Mr. Ramos** (Portugal) speaking on item 114 (b), said that, because human-rights education was crucial to the promotion of human rights worldwide, it must be a life-long process, and it must have an effective impact on attitudes and behaviour. It must not be restricted merely to teaching people about existing instruments, but should go further, developing a universal culture of human rights capable of enhancing respect for them. The Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action had both established that human-rights education was in itself a right, and the Plan of Action for the United Nations Decade for Human Rights Education (1995-2004) had set out a number of objectives with a view to its realization, including the establishment of national committees for human-rights education.

75. In 1998, Portugal had established a National Commission for the Commemoration of the 50th Anniversary of the Universal Declaration of Human Rights and the United Nations Decade for Human Rights Education, composed of representatives of government ministries, non-governmental organizations and prominent figures in the field of human rights. The Commission was implementing a national programme of human-rights education, working with schools, municipalities, local human-rights associations and the media. It had held several seminars, and congresses for the general public and specific target groups, and had established a working group to ensure that the subject was taught in curricula at all levels. It had also translated, published and made freely available, in Portuguese and often in Braille, the main international human-rights and humanitarian-law instruments. The Commission had in addition set up a web page containing those instruments as well as other publications. The Portuguese Government was committed to further developing its efforts to promote human-rights education for all.

76. **Mr. Mahbubani** (Singapore), referring to item 114 (b), said that, at its latest session, the Commission on Human Rights had adopted, by a very narrow margin, a resolution on human rights and responsibilities, which requested the Subcommission on the Promotion and Protection of Human Rights to undertake a study on that question. Generally, the countries of the North had voted against adoption, while those of the South had supported it. It was puzzling that the intellectual disciples of liberal thought should vote against a discussion and study of human responsibilities in the context of human rights. The very notion of exploring links between human rights and human responsibilities had emanated from the developing world, and had been promoted by the InterAction Council, which included a distinguished group of elder statesmen from all over the world, including many from the North. In 1997, that body had produced a draft universal declaration of human responsibilities reflecting commonly-held ethical beliefs, which it had requested the United Nations General Assembly to consider.

77. Those who traditionally defended the right to discuss new ideas, far from supporting a debate on the draft universal declaration of human responsibilities, had chosen to suppress it. Amnesty International, for example, claimed that the draft would undermine the

Universal Declaration of Human Rights. Surely, the international community would be better off studying and discussing the matter rather than stifling debate. The idea of discussing rights and duties together would not appear to be inherently unreasonable. The concept of the individual's responsibility to the community had long been a mainstay of ethical thought in both East and West. That continued to be the case, for example in the contemporary thought underpinning the environmental movement.

78. One person's duty could also be viewed as a recognition of the rights of another. For one's own rights to be respected, it would be impossible to consider only those rights, to the exclusion of the rights of others. The international community consisted of independent States, each jealous of its own rights, but each willing to acknowledge certain limits to its sovereignty for the sake of the benefits derived by acting as a community. Most world religions held that people should do unto others as they would have them do unto themselves, or that each person was responsible for treating others with respect and fairness, a principle all too often forgotten by those who focused exclusively on their own rights. It would be illogical, if not perverse, to deny that rights and responsibilities were inextricably intertwined.

79. There was a growing perception that certain developed societies had lost a sense of balance between the rights of the individual and the needs of the community, which accounted for reluctance to emulate their social models. Striking a proper balance between rights and responsibilities would be of cardinal importance in the twenty-first century. A dogmatic insistence on rights in a world with a growing population could lead only to perdition. Global warming, pollution, terrorism and pandemics could never be tackled without sacrificing some freedom. The survival of the world and of mankind's descendants would depend on it.

80. As a student of social and political philosophy, he had compared the concepts of freedom and equality, and was acutely aware of the complexity of striking such balances. He had also learned that throughout history, conventional wisdom had proven to be wrong, and that ages were no more infallible than individuals. The failure to allow a study or discussion of human responsibility demonstrated a shortcoming of modern thought. The Third Committee should encourage, and not suppress, discussion of a universal declaration on human responsibilities once the Subcommission completed its study on that question.

81. **Mr. Cordeiro** (Angola), speaking on item 114 (b), said that armed conflict and poverty were contributing to the deterioration of human rights. The international community must maintain its commitment to promote respect for human dignity and mutual respect among peoples. His Government attached great importance to the right to development and to the promotion of a new international economic order based on sovereign equality, interdependence, mutual interest and cooperation among States. It endorsed the views of the independent expert on the right to development as expressed in his report (A/55/306), and supported the idea of concluding development compacts (ibid., para. 66). The Third Committee must take the first step in demonstrating the international community's interest in the right to development by adopting by consensus the draft resolution on that question.

82. Although human rights figured prominently in the Angolan Constitution, the Parliament was reviewing the constitutional basis for expanding the promotion and protection of human rights. The Government had also involved civil society in a broad public discussion on revising the law governing freedom of expression.

83. Human-rights abuses, including the killing of refugees and displaced persons, had increased since 1992 when the União Nacional para a Independência Total de Angola (UNITA) had resumed hostilities. However, the Angolan Government had worked closely with the Human Rights Division of the United Nations Office in Angola to ensure that it met its legal obligations. That had led to positive changes in the human-rights situation, which were reflected in the Secretary-General's report on the United Nations Office in Angola (S/2000/977). For example, one programme (ibid., para. 18) would place law graduates in police stations in the most populous neighbourhoods of Luanda to strengthen respect for human rights. The Government was also training members of the police and the military to improve their civic awareness and commitment to human rights, and was introducing civic education in primary-school curricula to foster non-violent conflict-resolution techniques. Angola had made significant progress in the area of human rights by implementing educational projects.

84. **Ms. Šimonović** (Croatia), referring to sub-items 114 (c) and (e), said that the Millennium Summit had

prompted the international community to take stock of the achievements made and the challenges remaining in the field of human rights at the beginning of a new era. The Office of the United Nations High Commissioner for Human Rights had made a laudable effort to promote and protect human rights and to mainstream them in the United Nations agenda. The Croatian Government had worked closely with the Office to implement a technical-cooperation project which provided human-rights training to civil servants and non-governmental organizations. As a result of such cooperation, a United Nations Human Rights Documentation Centre had recently opened in Zagreb, and the Croatian Government had made a financial donation in response to the appeal by the Office of the High Commissioner.

85. Croatia had always maintained a human-rights policy based on full transparency. As a member of the United Nations and regional organizations such as the Council of Europe and OSCE, Croatia had been the subject of a number of monitoring mechanisms which had closely followed the situation of human rights and democratic development in the country.

86. Croatia had experienced severe impediments to the full protection and promotion of human rights owing to its status as a country in transition. It also had to deal with armed aggression and to liberate its occupied territories. The Government continued to place high priority on establishing the fate of missing and detained persons, and hoped that the new, democratically elected authorities in the Federal Republic of Yugoslavia would provide full information in that regard. Croatia was still involved in a complex return of refugees and displaced persons, which represented a prerequisite for lasting stability in the region. The success of such returns was to a great extent dependent on ensuring that those who returned could have sustainable livelihoods.

87. Since the presidential and parliamentary elections earlier in 2000, the new Government had effected radical new improvements in human-rights protection and media freedom and had enhanced democracy and the rule of law. It had in particular initiated a number of legislative changes, including laws which raised the number of representatives of national minorities in the Parliament, ensured the right of minorities to use their national languages and scripts and enabled their use in education. The Council of Europe had recently decided to end its monitoring procedure in recognition of the headway made. Her delegation hoped that the Third Committee, too, would acknowledge that progress, and that the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia would also recognize it, for example by recommending that Croatia should be excluded from that mandate.

The meeting rose at 12.35 p.m.